

**-CITY OF ROCKVILLE PLANNING DIVISION  
STAFF REPORT**

March 25, 2005

**SUBJECT:**

Variance Application APP2003-00841

Applicant: Christopher Ehrman  
5721 Crawford Drive  
Rockville, Maryland 20851

Property Location: 5721 Crawford Drive

Board of Appeals Public Hearing Date: April 2, 2005

**REQUEST:**

The applicant seeks a seven-foot variance from the front setback requirement to construct a twenty-two foot wide by eight-foot deep covered front porch.

**STAFF RECOMMENDATION:**

Denial.

**ANALYSIS:**

**Project Proposal**

The applicant proposes to construct a twenty-two foot wide by eight-foot deep wrap around porch onto the front and side of the house. There is no encroachment issue associated with the portion of the porch that wraps around to the left side entry door.

**Property Description and Background**

The subject property is located in the Twin-brook subdivision, where it is zoned R-60, One-Family Detached Residential. The lot contains 8,409 square feet of land. It is a trapezium shaped interior lot that measures approximately fifty-two feet wide at the front property line, seventy-two feet at the rear property line with side lot lines that measure approximately one hundred twenty-six feet and one hundred forty feet. The property is currently improved with a two-story house and a twelve-foot by sixteen foot accessory building. The front of the house sits slightly lower than the street grade.

### **Requested Variance**

The property is located within the R-60 Zone, where the front setback is twenty-five feet from the front property line. This house is setback twenty-six feet from the front property line. Since the house is setback one foot more than is required, the variance necessary for an eight foot deep porch is seven feet.

### **Applicable Sections of the Zoning Ordinance**

Section 25-1 defines variance as a modification only of the density, bulk or area requirements, where such modification will not be contrary to the public interest and, owing to conditions unique to the property and not the result of any action taken by the applicant, of which literal enforcement of the ordinance would result in practical difficulty.

### **Staff Analysis and Recommendation**

The following are the findings that must be made in order for the Board to approve a variance as well as staff's observations.

1. **The variance as requested would not be contrary to the public interest.** There are no sight line problems associated with the setback of the proposed porch. The proposed design of the porch, with a shed roof along the front of the house, combined with the fact that the house sits slightly lower than the street grade means that the proposed porch would not feel imposing from the street. As a result, the variance as requested would not be contrary to the public interest.
2. **The variance is requested owing to conditions peculiar to the property and not the result of any action taken by the applicant.** The driveway is located on the right side of the house and the main entry door is located on the left side. The applicant has noted that the configuration poses a problem during inclement weather when bringing in the children, parents and groceries. There is, however, a door into the house that is located adjacent to the driveway that leads into the addition on the back of the house. The applicant also notes that it would not be easy to relocate the driveway to the left side of the house due to a utility pole and a street tree. The utility pole appears to be located on the front property line. The placement of a driveway next to it would only require that the driveway be offset a distance equal to the flare on the apron. Further, a consultation with the City Forester reveals that homeowners may request removal of street trees for driveway placement. The City would remove the tree and the applicant would have to remove the stump. As a result, there are remedies available to the applicant that would not require a variance. Setting aside these issues, there is no unique or peculiar condition associated with this property. When the houses along Crawford Drive were constructed, many, if not most of the houses did not

have driveways. It not required at the time and the grade change on many of the properties made placement difficult.

As a result, the peculiar conditions noted by the applicant are not related to something unique about the property but rather to difficulties associated with changing the driveway configuration around. Because many of the homeowners on the street must walk at least thirty-five feet from the street to the entry door, it cannot be said that walking approximately the same distance from the driveway to the entry door is a condition peculiar to this property.



Door on  
Right Side



Door on  
Left Side

3. **A literal enforcement of the Ordinance will result in practical difficulty.** A covered porch may be constructed over both entry doors that are visible from the street. Not allowing a covered walkway or recreational front porch would not result in practical difficulty. The driveway is already located adjacent to an entry door and, if the applicant chose, the driveway could be relocated to the other side of the house for direct entry into the left side of the house. As a result, a literal enforcement of the Ordinance would not result in practical difficulty.

Variance Application APP2005-00841

March 25, 2005

Page 4

Based on the above, staff recommends denial of Variance Application APP2005-00841.

**NOTIFICATION**

Notices about the public hearing were sent to 343 residences, including those that are legally required.

Attachments.